

ORIGINAL



United States of America
FEDERAL TRADE COMMISSION
Washington, DC 20580

MEMO ENDORSED

Division of Advertising Practices
Annette Soberats
202-326-2921; asoberats@ftc.gov

September 9, 2021

VIA ECF

Hon. Louis L. Stanton, U.S.D.J.
United States District Court
Southern District of New York
500 Pearl Street
New York, NY 10007

RE: *FTC, et al. v. Quincy Bioscience Holding Co., Inc., et al.* (17-CV-00124-LLS)
Plaintiffs' Request to Appear Telephonically at September 17, 2021 Pre-Motion
Conference

Dear Judge Stanton:

Plaintiffs, the Federal Trade Commission ("FTC") and the People of the State of New York by Letitia James, Attorney General of the State of New York, respectfully request the Court's leave to appear telephonically at the pre-motion conference set for September 17, 2021 at 2:30 pm. Defendants intend to appear in person but do not oppose Plaintiffs' request.

Due to the widespread resurgence of COVID-19, New York County has been designated by the Centers for Disease Control and Prevention as experiencing "high" levels of community transmission of the disease. Accordingly, counsel would strongly prefer to avoid travel and public interaction in the area if at all possible. In addition, we note that the attorney who has been designated to argue the FTC's position at the September 17 pre-motion conference would need to travel to New York from Washington, D.C. While counsel are mindful that the Court is observing masking and other preventative protocols, travel is a high-risk activity for transmission of the disease.

In addition, the parties in this case have appeared telephonically in the past. In a prior telephonic status conference on December 14, 2020, the Court heard, among other things, oral argument on Defendants' request for clarification and/or reconsideration as to the Court's December 3, 2020 Order on the FTC's motion for a protective order. (Dkt. Nos. 149, 150). The telephonic medium did not present a hindrance for any of the parties.

Granted.
Louis L.
Stanton
9/10/21

The Honorable Louis L. Stanton
Page 2

September 9, 2021

For these reasons, and in light of the recent COVID-19 resurgence, we respectfully request that the Court allow Plaintiffs to appear telephonically at the September 17 pre-motion conference.

Respectfully,

/s/Annette Soberats

Annette Soberats

Attorney

Federal Trade Commission

/s/ Kate Matuschak

Kate Matuschak

Assistant Attorney General

New York Office of the Attorney General

cc: All counsel of record (via ECF)